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EXAMINER
MAURO JR, THOMAS J

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 11/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/656,418	IWAYAMA ET AL.
	Examiner	**Art Unit**	
	Thomas J. Mauro Jr.	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _06 September 2000_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-28_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _06 September 2000_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____.

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2_.   6) ☐ Other: .

DETAILED ACTION

1.   Claims 1-28 are pending. A formal action on the merits of claims 1-28 follows.

2.   The priority date considered for this application is October 20, 1999.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-2 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent 5,717,863 to Adamson et al.

        Regarding claim 1, Adamson teaches a communication means notification method for use

in a communications system selectively employing communications means installed in

information terminals on a network for users to communicate with one another, the method:

        a.   User-relationally storing communication means operable in users information

        terminals **[Adamson -- Figure 3, Figure 6, Col. 5 lines 41-47 and Col. 6 lines 14-16 –**

        User stores information, i.e. Name, Company, Address, and connection information

        and addresses];

b.   Receiving a destination-user designation from a source user requesting

communication **[Adamson -- Figure 9, Col. 6 lines 16-19 and Col. 7 lines 62-64 – User**

selects person whom he/she wishes to communicate with];

c.   Based on information stored in (a), generating a list describing communication

means operable at both the destination user's information terminal and the source user's

information terminal **[Adamson -- Col. 8 lines 28-31 – a list is generated after system**

determines which transports types are supported by each user on the conferencing

system]; and

d.   Reporting the list to the source user before communication begins **[Adamson --**

Figure 9 item 278 and Col. 31-34].

With respect to claim 2, Adamson teaches a communication means notification system for use in a communications system selectively employing communications means installed in information terminals on a network for users to communicate with one another, the system comprising:

a.   A first table user-relationally storing communication means operable in users information terminals **[Adamson -- Col. 6 lines 63-67 – Data, including the connection types, are stored in a data structure, i.e. table, database, list, etc...]**;

b.   An administration means for receiving operable communication means settings from users and storing the settings in said first table **[Adamson -- Col. 6 lines 12-16 – Allows for creating and editing of biz cards which include, connection settings]**;

c.   A designation means for receiving destination user designations from source users requesting communication **[Adamson -- Figure 9, Col. 6 lines 16-19 and Col. 7 lines 62-64 – User selects person whom he/she wishes to communicate with]**;

d.   An acquisition means for acquiring from said first table communication means operable at both source users information terminals and destination users information terminals **[Adamson -- Col. 8 lines 28-31 – System determines which transports types are supported by each user on the conferencing system]**; and

e.   A notification means for reporting the generated list to source users before communication begins **[Adamson -- Figure 9 item 278 and Col. 31-34]**

With respect to claim 11, Adamson teaches a computer-readable recording medium whereon is recorded a communication means notification program for use in information

terminals wherein communication means selectively employed by users for communicating with

one another is installed, and for use in information terminals able to communicate with said

information terminals; said communication means notification program recorded on the

computer-readable recording medium for executing the following steps:

a.   Preparing a first table user relationally storing communication means operable in

user's information terminals **[Adamson -- Col. 6 lines 63-67 – Data structure, i.e. table,

must be set up before storing data]**;

b.   Receiving operable communication means settings from users and storing the

settings in said first table **[Adamson -- Figure 3, Figure 6, Col. 5 lines 41-47 and Col. 6

lines 14-16 – User stores information, i.e. Name, Company, Address, and connection

information and addresses]**;

c.   Receiving destination user designations from source users requesting

communication **[Adamson -- Figure 9, Col. 6 lines 16-19 and Col. 7 lines 62-64 – User

selects person whom he/she wishes to communicate with]**;

d.   Acquiring from said first table communication means operable at both source

user's information terminals and destination users' information terminals **[Adamson --

Col. 8 lines 28-31 – System determines which transports types are supported by each

user on the conferencing system]**;

e.   Generating a list, based on information acquired by said acquisition means,

describing communication means actually usable by both source users and destination

users **[Adamson -- Col. 8 lines 28-31 – a list is generated after system determines

which transports types are supported by each user on the conferencing system]**; and

f.   Reporting the generated list to source users before communication begins

[Adamson -- Figure 9 item 278 and Col. 31-34].

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adamson et al.

(U.S. 5,717,863) as applied to claim 2, in view of Pickering (U.S. 6,076,093) and Cloutier (US

2001/0055963).

Regarding claim 3, Adamson teaches the invention substantially as claimed, but fails to

teach the limitations of claim 3. Pickering, however, teaches these limitations substantially as

claimed, the system further comprising: a second table for storing relationally to users and

predetermined user statuses communication means actually usable in the user statuses

[Pickering -- Figure 2 and Col. 4 lines 4-5 – Table stores user names, methods of

communication and status]; wherein said first table together stores user status in addition to

communication means **[Pickering -- Figure 2 and Col. 4 lines 4-5]**, and said administration

means receives settings on new user status and writes actually usable communication means in

the new user status into said first table in accordance with said second table settings **[Pickering -**

- Col. 5 lines 38-65 – Status information and communications means can be updated in a variety of ways].

Further, Cloutier, teaches a prioritizing means for receiving settings on the actually usable communication means in the predetermined user statuses and storing the settings in said table **[Cloutier -- Page 1 paragraph [0008] - Priority is set between devices when multiple devices can be used for communication].**

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the storing and prioritizing of communication means and statuses as taught by Pickering and Cloutier into the invention of Adamson in order to provide a mechanism which allows users to set precedence on which devices he/she wishes to communicate with the most and to determine the availability/status of users and the communication means through which they can be reached.

4.   Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adamson as applied to claim 2, in view of Pickering (U.S. 6,076,093) and Cloutier (U.S. 2001/0055963) and further in view of Minnick et al. (U.S. 6,370,381).

Regarding claim 4, Adamson disclosed the invention substantially as claimed including the aforementioned limitations in claim 3. Pickering-Cloutier further teach the missing limitations but fail to teach generating a list based on the priority level of the communication means.

Minnick, however, teaches generating a list based on the priority level of the communication

means usable by both source and destination user [**Minnick -- Col. 4 lines 17-18 – Priority**

sorted list of communication devices].

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to include generating a priority sorted list of available communication devices, as taught by

Minnick into the invention of Adamson, in order to quickly determine the best communication

device according to preferences which is currently available to use.

Regarding claim 5, Adamson, in addition to above claim 4, - Pickering-Cloutier-Minnick

teach the invention substantially as claimed, including generation means rearranges

communication means in accordance with source user priority level [**Minnick -- Col. 4 lines 17-

18 – Produces priority sorted list of communication devices**].

5.   Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adamson-

Pickering-Cloutier-Minnick as applied to claim 4.

Regarding claim 6, Adamson-Pickering-Cloutier-Minnick discloses the invention

substantially as claimed, but fail to teach a generation means which rearranges communication

means in accordance with source user priority level. However, they suggest arranging a list

based on priority of communication devices for the source user. It would have been obvious that

arranging a list for a source user could have also been done for a plurality of users, including the

destination user. Therefore, it would have been obvious that was a matter of design choice at the time the invention was made.

6.   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adamson, as applied to claim 2, in view of Lee (U.S. 6,475,089).

Regarding claim 10, Adamson does not explicitly teach the invention as claimed. Lee, however, teaches the invention substantially as claimed, wherein said communication means is a game application wherein a plurality of users can participate on a network **[Lee -- Figure 1, Figure 7 and Col. 2 lines 10-30 – Users who wish to play opponents in a game over the network connect to host server to enroll]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the gaming application, as taught by Lee into the invention of Adamson, in order to provide an application which relies heavily on establishing and maintaining connections between users.

7.   Claims 12-13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adamson et al. (U.S. 5,717,863) in view of Tung et al. (U.S. 5,858,979) and Ansberry et al. (U.S. 5,715,392).

Regarding claim 12, Adamson teaches the invention substantially as claimed, a

communication means notification method for use in a communications system selectively

employing communication means installed in information terminals on a network for users to

communicate with one another, the method:

a.   user-relationally storing communication means operable in users' information

terminals [Adamson -- Figure 3, Figure 6, Col. 5 lines 41-47 and Col. 6 lines 14-16 –

User stores information, i.e. Name, Company, Address, and connection information

and addresses];

b.   receiving a destination-user designation from a source user requesting

communication [Adamson -- Figure 9, Col. 6 lines 16-19 and Col. 7 lines 62-64 – User

selects person whom he/she wishes to communicate with]; and

c.   based on information stored in (a), generating a first list describing

communication means operable at both the destination user's information terminal and

the source user's information terminal [Adamson -- Col. 8 lines 28-31 – a list is

generated after system determines which transports types are supported by each

user on the conferencing system].

Adamson, however, does not teach generating a list to a terminal which contains the

communications means not compatible with each other and a composite list of the

communications means, and downloading and executing the communications means to a

terminal.

Ansberry, however, teaches these limitations substantially as claimed, wherein matched

types are removed from a list leaving the ones not compatible with one of the clients [Ansberry

-- Col. 4 lines 62-64] and a composite list is generated [Ansberry -- Col. 4 32-34 – list of all types supported].

Furthermore, Tung teaches the invention substantially as claimed, wherein the conference manager allows for applications to be installed, i.e. which have been downloaded [Tung -- Col. 24 lines 26-28].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the list generation capabilities for composite list and incompatible types along with the downloading and execution of communication means, as taught by Ansberry and Tung into the invention of Adamson, in order to allow the conference system to support those incompatible communications means that differ from those which they currently support so that a wider range of transports are supported and fewer communication errors occur and to overcome communication barriers caused by incompatible communications means.

Regarding claim 13, Adamson-Ansberry-Tung teach the invention substantially as claimed, including the communications means is downloadable and executable on both terminals [Tung -- Col. 24 lines 26-28]. Adamson in view of Tung fail to teach a list where the communication means is not present on either of the terminals.

Ansberry, however, teaches the invention substantially as claimed, wherein incompatible types of both terminals are categorized in a list [Ansberry -- Col. 4 lines 65-67].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the list of incompatible types not present on either terminal, as taught by Ansberry into the invention of Tung, in order to allow the conference system to support those incompatible

communications means that differ from those which they currently support so that a wider range

of transports are supported and fewer communication errors occur.

Regarding claim 16, Adamson-Ansberry-Tung teaches the invention substantially as

claimed, including a computer-readable recording medium whereon is recorded a program for

executing the communication means notification method **[Adamson -- Col. 4 lines 17-18 --**

Application executes to perform program which must be stored in memory to run].

8.   Claims 14-15 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Adamson-Ansberry-Tung as applied to claim 12 above, and further in view of Morris et al. (U.S.

6,496,851).

Regarding claim 14, Adamson-Ansberry-Tung discloses the invention substantially as

claimed as aforementioned in claim 12, but fails to teach download and execution conditions

along with including the second list is generated based on terminal information and download

conditions and execution conditions for users information terminals.

Morris, however, teaches the invention substantially as claimed, wherein download conditions

for downloading communication means to users information terminals and execution conditions

for executing communication means on users information terminals are stored in advance for

each downloadable communication means **[Morris -- Col. 10 lines 65-67 – Col. 11 lines 1-2 –**

No adverse conditions are present, i.e. error messages, therefore, none are stored].

Furthermore, Ansberry teaches the a second list is for incompatible types on one of the clients,

thus implicitly incorporating download conditions if any are present **[Ansberry -- Col. 4 lines**

62-64].

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate the incompatible list, i.e. second list, along with download conditions, as taught by

Ansberry into the invention of Adamson, in order to provide a mechanism which validates the

credibility of the downloads with which is incompatible with either the source or destination user

before the download occurs.

Regarding claim 15, Adamson-Ansberry-Tung discloses the invention substantially as

claimed as aforementioned in claim 14, but fails to teach selection of a communication means

from a third list and downloading communication means if necessary. Morris, however, teaches

the invention substantially as claimed, wherein selection of any of the communication means on

the third list is received from the source user and the selected communication means is reported

to the destination user's information terminal **[Morris -- Figure 3 and Col. 6 lines 42-67 - Col.**

7 lines 1-30 and Col. 8 lines 1-17 – Destination user receives proposal from source user

upon which he makes a selection which is then sent back to the originator, i.e. source]; and

if the destination user's information terminal does not have the selected communication means, the destination user's information terminal acquires the selected communication means by downloading [**Morris -- Col. 10 line 65-67 – User can download software in order to accept and participate in desired proposal**].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the selection and downloading of communications means, as taught by Morris, into the invention of Adamson, in order to provide users with a way of negotiating between mutually acceptable communication means.

Regarding claim 17, this claim is analogous to claim 14. Therefore, claim 17 is rejected under the same rationale set forth within claim 14.

Regarding claim 18, Adamson in view of Ansberry, Tung and Morris teach the invention substantially as claimed, a creation means for creating a downloadable executable list of communication means downloadable to information terminals and executable on the information terminals for destination users and source users respectively [**Morris -- Col. 10 lines 65-67 – In order for the downloads to be presented for downloading, it is required that the list would have been created by the program and therefore is implicitly provided**]; and a supply means for supplying communication means included in the downloadable-executable list to user information terminals [**Morris -- Col. 10 lines 65-67 – Col. 11 lines 1-8 – Download is presented, therefore, the list of program(s) were supplied to the user implicitly**].

9.   Claims 7, 9, 19-20 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Adamson in view of Pickering.

        Regarding claim 7, Adamson teaches the invention as aforementioned in claim 2, but

fails to teach wherein said designation means receives designations using identification

information designating operable communication means at destination users information

terminals. Pickering, however teaches the invention substantially as claimed, wherein said

designation means receives designations using identification information designating operable

communication means at destination users information terminals **[Pickering -- Col. 6 lines 59-**

63 – Internet telephone calls are made by clicking on the destination user's Internet phone

number, i.e. identification information].

It would have been obvious to a person of ordinary skill in the art at the time the invention was

made to incorporate the use of designations from the identification information of the device, as

taught by Pickering into the invention of Adamson, in order to provide a fast and direct way of

initiating communication with another user rather than having to select their name and then

subsequently choose how they wish to connect to them.

        Regarding claim 9, Adamson in view of Pickering teaches the invention substantially as

claimed, wherein said designation means is enabled to receive a destination user's designation

according to identification information specifying operable communication means at destination

user's information terminals **[Pickering -- Col. 6 lines 59-62 – Internet telephone calls are**

made by clicking on the destination user's Internet phone number, i.e. identification

information for communications device]. Adamson, however, fails to teach starting the

communications session if both source and destination support the communications method.

Pickering, however, teaches this limitation substantially as claimed, selecting a communication

means and starting the communications between source and destination **[Pickering -- Col. 6**

lines 59-63 – After clicking on the destination user's identification information, i.e. Internet

telephone number, the call is placed and a ringing icon is displayed on the destination

user's desktop].

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate starting the communications sessions between users if the communications device

type is supported at both ends, as taught by Pickering into the invention of Adamson, in order to

provide a fast and simple way to start communications between two users which both support a

device type.

Regarding claim 19, Adamson teaches the invention substantially as claimed, a

communication means notification method for use in a communications system selectively

employing communication means installed in information terminals on a network for users to

communicate with one another, the method:

  a.   user relationally storing communication means operable on users single or plural

information terminals and terminal identification information for identifying users

information terminals **[Adamson -- Figure 3, Figure 6, Col. 5 lines 41-47 and Col. 6**

lines 14-16 – User stores information, i.e. Name, Company, Address, and connection

information and addresses];

      b.   receiving a destination user designation from a source user requesting communication **[Adamson -- Figure 9, Col. 6 lines 16-19 and Col. 7 lines 62-64 – User selects person whom he/she wishes to communicate with]**; and

      c.   based on information stored in (a), generating a list describing communication means operable at both the destination user's information terminal and the source user's information terminal **[Adamson -- Col. 8 lines 28-31 – a list is generated after system determines which transports types are supported by each user on the conferencing system]**. Adamson fails to teach distinguishing between a plurality of the same type of connections and reporting the list to the source user.

Pickering, however, teaches this limitation substantially as claimed, distinguishing between a plurality of the same type of connections **[Pickering -- Figure 2 – Plurality of phone numbers are distinguished by phone number and heading as to type of phone]** and reporting the list to source user **[Pickering -- Col. 2 lines 23-26]**.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the ability to separate communication means of the same type, as taught by Pickering into the invention of Adamson, in order to allow the source user to distinguish between the different connections.

      Regarding claim 20, Adamson-Pickering teach the invention as claimed, including user set messages with respect to communication means on information terminals are stored together with the communication means and information terminals **[Pickering -- Figure 2 and Col. 5 lines 35-37 – User can enter text in status information to inform other user's**

with more information regarding a particular communications means]; and a destination

user set message is further included in the list reported to the source user [**Pickering -- Col. 2**

lines 23-26 -- Table, as shown in Figure 2, is reported to source user with status

information].

Regarding claim 27, Adamson teaches the invention substantially as claimed, a

computer-readable recording medium whereon is recorded a program for executing the

communication means notification methods [**Adamson -- Col. 2 lines 16-20 -- Application, i.e.**

program is contained, i.e. stored, on each PC in the conferencing system].

Regarding claim 28, Adamson in view of Pickering teach the invention substantially as

claimed, a communication means notification system for use in a communications system

selectively employing communication means installed in information terminals on a network for

users to communicate with one another, the system comprising:

a.   a first table for user relationally storing communication means operable on users

single or plural information terminals and terminal identification information for identifying

users information terminals [**Adamson -- Figure 3, Figure 6, Col. 5 lines 41-47 and Col. 6**

lines 14-16 -- User stores information, i.e. Name, Company, Address, and connection

information and addresses];

b.   designation means for receiving a destination user designation from a source user

requesting communication [**Adamson -- Figure 9, Col. 6 lines 16-19 and Col. 7 lines 62-64 --**

User selects person whom he/she wishes to communicate with];

   c.   generating means for generating a list based on information stored in said first

table, describing communication means operable at both the destination user's information

terminal and the source user's information terminal **[Adamson -- Col. 8 lines 28-31 – System**

determines which transports types are supported by each user on the conferencing system];

and

   d.   notification means for adding to said list, wherein a plurality of the same

communication means is included in said list, further information for distinguishing the

information terminals **[Pickering -- Figure 2 – Plurality of phone numbers are distinguished**

by phone number and heading as to type of phone], and for reporting said list to the source

user before communication begins **[Pickering -- Col. 2 lines 23-26]**.

10.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adamson-

Pickering, as applied to claim 2 above in view of what was well known in the art.

       Regarding claim 8, Adamson discloses the invention substantially as claimed in claim 2,

including the aforementioned in claim 7. Pickering teaches the missing limitations but fails to

teach the first item in the list generated is the same communication means used if both users can

support that means. It would have been obvious that the source user would contact the

destination user with a communication means supported on the terminal. Therefore, it would

have been obvious to one of ordinary skill in the art at the time the invention was made to place

that communication means at the head of the list of supported communication devices which can

be supported by both source user and destination user.

11.   Claims 21-22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Adamson as applied to claim 19, 21 and 22, in view of Pickering (U.S. 6,076,093) and Cloutier

(U.S. 2001/0055963) and further in view of Minnick et al. (U.S. 6,370,381).

Regarding claim 21, Adamson-Pickering-Cloutier-Minnick teach the invention, as

aforementioned in claim 19, including the communication means operable at the same user's

single information terminal or plurality of information terminals are grouped by predetermined

criteria **[Cloutier -- Page 1 paragraph [0008] – Devices are grouped by setting the priority of**

each device, i.e. predetermined criteria]; said list is generated based on the grouped

communication means; and the communication means described in said list are grouped by the

predetermined criteria, and reported to the source user before communication begins **[Minnick --**

Col. 4 lines 17-18 – Priority sorted list of communication devices is reported].

Regarding claim 22, Adamson-Pickering-Cloutier-Minnick teach group priority rankings

are established for the communication means **[Cloutier -- Page 1 paragraph [0008] – Devices**

are grouped by setting the priority of each device], and said list is created based on the

priority rankings **[Minnick -- Col. 4 lines 17-18 – Priority sorted list of communication**

devices is reported].

Regarding claim 24, Adamson-Pickering-Cloutier-Minnick teach, including a recommended communication means is established for each source user in each communication means group **[Cloutier -- Page 1 paragraph [0008] – Devices are grouped by setting the priority of each device, i.e. the preferred device is the recommended communication means]**; and said list is generated by modifying the communication means priority ranking for each source **[Minnick -- Col. 4 lines 17-18 – Priority sorted list of communication devices is reported]**.

12.   Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adamson in view of Pickering, Cloutier and Minnick, as applied to claim 22 above, and further in view of Avidan (U.S. 6,608,895).

Regarding claim 23, Adamson-Pickering-Cloutier-Minnick teaches the invention substantially as claimed, but fails to teach wherein said priority rankings are established based on sequence made by usability within the groups **[Avidan -- Col. 5 lines 54-59 and Col. 8 lines 10-11 – Ranking is based upon age since last usage, i.e. something used rarely becomes aged and drops to a lower ranking, i.e. priority, and something used frequently goes up in rank]**. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the priority ranking based upon past usability, as taught by Avidan into the invention of Adamson in order to provide a self-ranking system which presents to the user the most used connections at the top of the priority listing.

13.   Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Adamson-Pickering-Cloutier-Minnick as applied to claim 21 above, and further in view of

Morris et al. (U.S. 6,496,851).

        Regarding claim 25, Adamson-Pickering-Cloutier-Minnick teaches the invention

substantially as claimed, but fail to teach wherein a selection is made based on a list received

from a source user and communication is attempted using that selection **[Morris -- Figure 3 and**

Col. 48-56 – Proposal is sent from one user to another user upon which the destination user

can select to accept, reject, or issue a counterproposal before communication is started

using that means].

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate the proposal and selection of parameters, as taught by Morris into the invention of

Adamson, in order to provide a flexible negotiation mechanism in order to agree upon a mutually

acceptable communications means.

        Regarding claim 26, Adamson-Pickering-Cloutier-Minnick teaches the invention

substantially as claimed, but fail to teach wherein selection of any group based on said list is

received from the source user **[Morris -- Col. 3 lines 50-51 Proposal is sent to destination]**;

inquiry is made to the destination user's communication means included in the selected group as

to whether it is receiving or not **[Pickering -- Figure 2 and Col. 4 lines 53-54 – Real-time**

status of destination user's communication means]; and communication begins with the

communication means first to respond in the destination user's information terminal **[Pickering -**

- Col. 6 lines 59-63 – After clicking on the destination user's identification information, i.e.

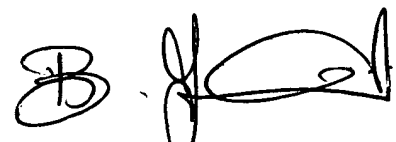**Internet telephone number, communication is started]**.

Conclusion

14.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

- Yasuda et al. (U. S. Patent No. 5,887,136) discloses a communication system storing

  information for each user regarding media schemes.

- Chida (U.S. Patent No. 5,953,505) discloses storing various types of communication

  information for a partner.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thomas J. Mauro Jr. whose telephone number is 703-605-1234.

The examiner can normally be reached on M-F 8:00a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A. Wiley can be reached on 703-308-5221. The fax phone number for the

organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900

BUNJOB JAROENCHONWANIT
PRIMARY EXAMINER

TJM

November 10, 2003